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**AUG 10 2009**

**OFFICE OF PETITIONS**

In re Application of  
Jaouad Zemmouri et al.  
Application No. 10/521,164  
Filed: January 19, 2006  
Attorney Docket No. LOM-0044

**DECISION ON PETITION**

This is a decision on the petition under the unintentional provisions of 37 CFR 1.137(b), filed April 27, 2009, to revive the above-identified application.

The petition is **DISMISSED AS MOOT**.

A review of the record shows that the reply in the form of a RCE and Amendment along with a three month extension of time filed on March 25, 2009, was filed within the maximum extendable time period of the Office action mailed on September 25, 2008. Since this application is not considered abandoned, the petition is not necessary.

It should be noted that the petition fee of \$810 will be refunded to petitioner's credit card.

The application is being referred to Technology Center 3769 for further processing of the reply received on March 25, 2009.

Telephone inquiries concerning this decision should be directed to Kimberly Inabinet at (571) 272-4618.



Carl Friedman  
Petitions Examiner  
Office of Petitions